THE HONOURABLE SRI JUSTICE L. NARASIMHA REDDY

Writ Petition No. 10901 OF 2006

Dated: 01.06.2006

Between:

1. Buddanna Raghavendra Rao, S/o. Late Subba Rao, Aged 40 years,

R/o. Eluru,West Godavari District and others

..... PETITIONERS

AND

1 The District Collector, West Godavari District, Eluru and others

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Writ Petition No. 10901 OF 2006

ORDER:

The petitioners state that they have constructed and brought about fish tank in an extent of 11.00 Acres of land in Survey Nos. 778 and 779 of Pothunuru Village, Denduluru Mandal of West Godavari District. The respondents have undertaken a drive to dismantle all the fish tanks as a measure to implement the scheme framed under the Wild Life Act. The work is being monitored by a committee constituted by the Supreme Court. The petitioners state that they have invested huge amounts and the fish grown by them has become ripe for harvesting. They seek reasonable time for harvesting the fish before the tank is dismantled.

Heard the learned counsel for the petitioner and the learned Government Pleader for Forests.

The petitioners do not seek any relief to interdict the respondents herein from

implementing the scheme or from clearing the encroachments in Kolleru lake. They need some breathing time to harvest the fish grown by them in the fish tanks in the lands referred to above.

Having regard to the facts and circumstances of the case, the writ petition is disposed of directing that the petitioners shall be entitled to harvest the fish in the tanks raised in Survey Nos. 778 and 779 of Pothunuru Village upto 4.6.2006 and till then the respondents shall not dismantle the fish tanks. It is further made clear that it shall be open and competent for the respondents to dismantle the tanks in the said land from 5th June, 2006 onwards. No costs.

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L. NARASIMHA REDDY,J

Date: 1st June, 2006

NOTE:

Communicate the operative portion by wire

at party's costs.

B/o

pnb